

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

IN RE:)	CHAPTER 13
)	
MARY MCMULLEN ROSS,)	CASE NO. 15-63991-jrs
)	
Debtor.)	
)	
<hr/> TORRANCE CHOATES,)	
Movant,)	CONTESTED MATTER
)	
vs.)	
)	
MARY MCMULLEN ROSS, Debtor)	
and NANCY J. WHALEY, Trustee,)	
)	
Respondents.)	
<hr/>)	

MOTION TO SHORTEN TIME OF NOTICE

COMES NOW Movant named above and shows this Court the following:

1.

This Motion is made to request that the Court shorten the time of Notice required for a hearing on a Motion for Relief from Stay.

2.

Movant is the owner of certain real property located at 2716 Kristen Court NW, Conyers, GA 30012, which he leased to the Debtor on April 1, 2015. A copy of the lease is attached to the Motion for Relief from Stay filed by the Movant on September 4, 2015. Movant's attorney, Shannon D. Sneed, filed the Motion and scheduled a hearing on the Motion for September 15, 2015, which is less than fourteen days from the date of service of the Motion.

3.

Debtor filed the instant case on July 27, 2015. Debtor has defaulted on rental payments which have come due since the bankruptcy filing. Debtor's prepetition arrearage is \$1200.00. Debtor's post-petition arrearage is \$2400.00.

5.

Because of the Debtor's post-petition default on payment of rent, Movant is not adequately protected and should be permitted to proceed with the eviction process. Movant has suffered and continues to suffer irreparable harm because of the Debtor's default.

6.

Movant shows that the shortened Notice is necessary in this case because the Debtor has failed to pay rent for August and September 2015, and if the hearing is scheduled for the next available date after September 15, 2015, which is October 6, 2015, Movant will suffer irreparable harm by losing another monthly rental payment of \$1200.00, bringing the total post-petition arrearage to \$3600.00.

WHEREFORE, Movant prays for an Order shortening the time required for Notice, allow the hearing on Motion for Relief from Stay to proceed as scheduled and noticed for September 15, 2015, and for such other and further relief as is just and equitable.

Dated: September 8, 2015

Respectfully submitted,

/s/ Shannon D. Sneed
Shannon D. Sneed, Bar No. 665610
SHANNON D. SNEED & ASSOCIATES, P.C.

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Attorneys for TORRANCE CHOATES

Certificate of Service

I certify that I am over the age of 18 and that on the date written below a copy of the foregoing Motion for Relief from the Automatic Stay and Notice of Hearing was served by email or by first class U.S. Mail, with adequate postage prepaid on the following persons or entities at the addresses stated:

The following parties have been served via U.S. Mail:

Mary McMullen Ross
2716 Kristen Court NW
Conyers, GA 30012

Craig Z. Black
The Semrad Law Firm LLC
101 Marietta St. NW
Atlanta, GA 30303

Nancy J. Whaley
Chapter 13 Trustee
Suite 120
303 Peachtree Center Avenue
Atlanta, GA 30303

Dated: September 8, 2015

/s/ Shannon D. Sneed
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